

Remarks

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-3, 5 and 6 are currently being prosecuted. The Examiner is requested to consider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claim 5 as being allowable if rewritten in independent form. Since Applicants submit that amended claim 1 is allowable, claim 5 has not been rewritten in independent form yet. However, Applicants have submitted new claim 6, which includes the limitation of claim 5 combined with claim 1 without the limitation of claim 4. Applicants submit that this claim is allowable based on the Examiner's statement of the reason for allowance.

Rejection under 35 U.S.C. § 103

Claims 1-4 stand rejected under 35 U.S.C. § 103 as being obvious over Bourdelias et al. (U.S. Patent 5,874,205) in view of Lucier (CA 2,100,505). This rejection is respectfully traversed.

The Examiner points out that Bourdelias et al. shows a composite with a polymer sheet fixed to a support layer. In particular, a polymer sheet may be attached to photographic paper so that a composite of the polymer sheet, paper

and the photographic layer are combined. However, this reference fails to show such a sheet in the shape of a bag which is waterproof.

The Examiner cites Lucier to show a bag with a fabric outer layer and a waterproof inner layer. However, this reference includes an inner layer which is attached to the outer layer only at the periphery of the bag. The Examiner feels it would have been obvious to use the waterproof inner layer with the composite of Broudelias et al.

First, Applicants note that claim 4 has been cancelled rendering this part of the rejection moot. The limitations of claim 4 have been added to claim 1. Claim 1 now describes waterproof bag as having a woven base component, at least one waterproof film adhered to an entire inner surface of the base component and a photo film adhered to the outer surface. Applicants submit that claim 1 is not obvious over this combination of references.

While Bourdelias et al. shows a photographic layer attached to a plastic base component and while Lucier shows a bag with a waterproof inner layer, there is no teaching of a need to combine these two. Especially, it would not be obvious to one of ordinary skill in the art to utilize the photographic sheet with a plastic backing as part of bags shown in Lucier. The Examiner points out that the references are analogous because they both deal with plastic/fiber composite. However, Applicants submit that it would not be obvious to use the photographic sheet such as shown in Bourdelias et al. on a waterproof bag such as shown on Lucier. Since neither of these references teach the idea of

combining a photographic element on a plastic bag, Applicants submit that such a combination would not be obvious without some type of motivation. Accordingly, Applicants submit that claim 1 is not obvious over these two references.

Furthermore, Applicants have added the limitation that the waterproof film is adhered to the entire inner surface of the base component which was previously in claim 4. Neither of the references show the waterproof layer being adhered to the entire inner surface of the base component. In Lucier, the waterproof bag is only attached at the top. This is apparently to prevent any possible leaks since the attachment is done with stitching 14. If stitching were applied anywhere else the bag would cease to be waterproof. Accordingly, it would not be obvious to modify Lucier to have the waterproof layer stitched to the entire inner surface of the base component. Accordingly, Applicants submit that claim 1 is allowable.

Claims 2, 3 and 5 depend from claim 1 and as such are also considered to be allowable. In particular, the Examiner has indicated that claim 5 is already allowable.

New claim 6 has been added which includes the limitations of claim 5 and claim 1. However, it does not include the limitations of claim 4. However, as indicated above, Applicants submit that this claim is also allowable based on the Examiner's statements.

Conclusion

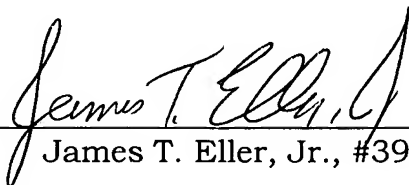
In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time use.

Respectfully submitted,

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